

**RECEIVED**

JUL 20 2020

S.C. SUPREME COURT

DEAR CLERK

CAN YOU PLEASE SENT BACK A COPY OF  
APPELLANT NOTICE OF APPEAL WITH PROOF  
OF SERVICE.

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Jul 29 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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JUL 20 2020

S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY  
THE HONORABLE BENTLEY D. PRICE

IN THE MATTER OF CARE AND TREATMENT OF  
ANTONIO D. PATTERSON APPELLANT

APPELLANT CASE NO: 2020-000886

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JUL 29 2020

APPELLANT'S MOTION TO OPPOSED  
RESPONDENT MOTION TO DISMISS

SC Court of Appeals

APPELLANT ANTONIO D. PATTERSON OPPOSED  
RESPONDENT MOTION TO DISMISS APPELLANT'S  
NOTICE OF APPEAL

BASED ON THE FOLLOWING.

PURSUANT TO RULE 201 (SCACR)  
RIGHT TO APPEAL, AND A TIMELY NOTICE  
OF APPEAL AND PROOF OF SERVICE WAS  
SENT TO THE SUPREME COURT STAMP JUNE 16,  
2020 AND STAMP BY ATTORNEY GENERAL  
OFFICE JUNE 18, 2020.

THE SUPREME COURT OF SOUTH CAROLINA

IN THE MATTER OF CARE AND TREATMENT OF  
ANTONIO DIEARGO PATTERSON APPELLANT

APPELLATE CASE No: 2020-000886  
LOWER COURT CASE No: 2020 CP 1000680

DEAR CLERK,

PURSUANT TO RULE 204(A) OF THE SOUTH CAROLINA  
APPELLATE COURT RULES, THE APPEAL IN THE  
ABOVE ENTITLED MATTER, WAS TRANSFERRED TO  
THE SOUTH CAROLINA COURT OF APPEALS.

THE CLERK OF COURT FOR THE SOUTH CAROLINA  
COURT OF APPEALS: JENNY ABBOTT KITCHING  
P.O. BOX 11629 COLUMBIA S.C. 29211 SENT  
OUT A LETTER DATED JUNE 22, 2020  
STATING A PROOF OF SERVICE HAS NOT BEEN  
PROVIDED SHOWING THE NOTICE OF APPEAL WAS  
TIMELY SERVED. A COPY OF PROOF OF SERVICES  
WAS STAMPED AND FILED IN YOUR COURT  
DATED JUNE 16, 2020.

ATTORNEY: MR JAMES KRISTIAN ESQ. P.O. BOX 1058  
CHARLESTON S.C. 29402 WAS ADVISED THAT  
ANY DEFICIENCY MUST BE CORRECTED WITHIN

TEN (10) DAYS OF THE DATE OF THE LETTER,  
DATED JUNE 22, 2020.

ATTORNEY REFUSED TO RESPOND BACK TO  
THE COURT OF APPEALS AND FILE A PROOF  
OF SERVICE

I, ANTONIO DIEARGO PATTERSON ADVISED MR  
JAMES KRISTIAN FALK ATTORNEY ON THIS  
CASE TO FILE A NOTICE OF APPEAL AND  
PROOF OF SERVICE AND THIS ATTORNEY  
~~DENIED MY RIGHT TO APPEAL PURSUANT~~  
TO RULE 201 (SCACR)

A SECOND LETTER WAS SENT OUT TO THIS COURT  
BY CLERK OF COURT JENNY ABBOTT KITCHINGS  
DATED JULY 6, 2020 FOR A PROOF SERVICE  
TO BE PROVIDED SHOWING NOTICE OF APPEAL  
WAS TIMELY. NO RESPOND BACK FROM  
ATTORNEY JAMES KRISTIAN FALK.

JULY 6, 2020 STATE MOTION TO DISMISS PURSUANT  
TO RULE 240 SCACR IN REGARD TO THE  
ABOVE MATTER.

#### PROOF OF SERVICE

I, ANTONIO D. PATTERSON, CERTIFY THAT I  
HAVE SERVED A COPY OF APPELLANT  
ANTONIO DIEARGO PATTERSON NOTICE OF APPEAL

AND PROOF SERVICE THAT WAS STAMPED AND FILED  
BY THE ATTORNEY GENERAL OFFICE ON JUNE 18, 2020  
TO THE CLERK OF COURT JENNY A. KITCHINGS.  
SHOWING THE NOTICE OF APPEAL WAS TIMELY  
FILED AND THE ATTORNEY GENERAL OFFICE DID  
RECEIVED THAT NOTICE.

ATTORNEY GENERAL MOTION SHOULD BE DISMISSED  
AND APPELLANT ANTONIO D. PATTERSON SHOULD  
HAVE THE RIGHT TO APPEAL. CASE 2020-000886.

*Antonio D. Patterson*

THIS 14<sup>TH</sup> DAY OF JULY 2020

~~PROOF OF SERVICE~~

I, ANTONIO PATTERSON CERTIFY THAT I HAVE SERVED  
MOTION TO OPPOSED RESPONDENT MOTION TO DISMISS  
APPELLANT'S NOTICE OF APPEAL, TO THE FOLLOWING

SOUTH CAROLINA COURT OF APPEAL  
JENNY ABBOTT KITCHINGS CLERK  
P.O. BOX 11629 COLUMBIA S.C. 29211

JAMES G. BOGLE JR  
SENIOR ASSISTANT ATTORNEY GENERAL  
S.C. OFFICE OF ATTORNEY GENERAL  
P.O. BOX 11549 COLUMBIA S.C. 29201

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

RECEIVED

JUN 16 2020

APPEAL FROM CHARLESTON COUNTY  
COURT OF COMMON PLEAS

S.C. SUPREME COURT

RECEIVED

BENTLEY D. PRICE Circuit Court Judge  
CASE NO: 2020 CP 1000680

JUL 29 2020

SC Court of Appeals

ANTONIO PATTERSON # 342594  
STATE OF SOUTH CAROLINA

APPELLANT  
RESPONDENT

### NOTICE OF APPEAL

APPELLANT APPEAL THE COURT ORDER FOR  
EVALUATION PURSUANT TO THE SEXUALLY VIOLENT  
PREDATOR ACT DATED APRIL 30, 2020 AND  
SUPPLEMENTAL ORDER DATED MAY 14, 2020  
BOTH ORDER RECEIVED BY APPELLANT ON  
JUNE 8<sup>TH</sup> 2020 SEE ATTACHMENT

THIS APPEAL FOLLOWS PROBABLE CAUSE HEARING  
APRIL 27, 2020. CONTESTED VIOLATION OF  
STATUTE 17-1-40 AND 17-22-950

ALL RECORDS WAS ORDER TO BE EXPUNGED AND  
DESTROYED BY JUDGE MAITE MURPHY JUNE 18, 2018  
AND SOLICITOR DAVID M. PASCOE ON  
JUNE 22, 2018.

Antonio D. Patterson 'PROSE'

ANTONIO D. PATTERSON

MAC DOUGALL CORRECTIONAL INST.

1516 Old Gilliard Rd

Ridgeville S.C. 29472

B2C14B

Other Counsel of Record

JAMES G. BOYLE JR.

SENIOR ASSISTANT ATTORNEY GENERAL

Rembert Co. DENNIS Building

P.O. Box 11549

Columbia S.C. 29211-1549

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

RECEIVED

JUN 16 2020

S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY  
COURT OF COMMON PLEAS

RECEIVED

BENTLEY D. PRICE Circuit Court Judge  
CASE NO: 2020 CP 1000680

JUL 29 2020

SC Court of Appeals

PROOF OF SERVICE

I, CERTIFY THAT I HAVE SERVED APPELLANT'S  
NOTICE OF APPEAL BY MAIL ON THE 11<sup>TH</sup> DAY  
OF JUNE 2020 ON THE FOLLOWING

JAMES G. BOGLE JR  
SENIOR ASSISTANT ATTORNEY GENERAL  
SC, OFFICE OF ATTORNEY GENERAL  
P.O. BOX 11549 COLUMBIA S.C. 29201

HONORABLE JULIE J. ARMSTRONG  
100 BROAD ST

CHARLESTON S.C. 29401 TO FORWARDED: HONORABLE  
JUDGE BENTLEY D. PRICE

ROBERT M. DUDEK  
OFFICE OF APPELLATE DEFENSE  
P.O. BOX 11433  
COLUMBIA S.C. 29211-1433



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

July 07, 2020

Ms. Deborah R.J. Shupe, Esquire  
PO Box 11549  
Columbia SC 29211-1549

Re: In the Matter of Antonio D. Patterson  
Appellate Case No. 2020-000886

Dear Counsel:

This will acknowledge receipt of your motion to dismiss.

By copy of this letter, opposing counsel is requested to file a return to this motion no later than ten (10) days from the date of this letter.

The time limits for perfecting the appeal will be held in abeyance pending the Court's decision.

Very truly yours,

*V. Claire Allen*

CLERK

cc: Antonio D. Patterson, 342594  
James Kristian Falk, Esquire  
Robert Michael Dudek, Esquire  
Alan McCrory Wilson, Esquire



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

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FAX: (803) 734-1839  
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June 22, 2020

Mr. James Kristian Falk, Esquire  
PO Box 1058  
Charleston SC 29402

Re: In the Matter of Antonio D. Patterson  
Appellate Case No. 2020-000886

Dear Counsel:

Upon reviewing your client's notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- A proof of service has not been provided showing the notice of appeal was timely served. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

*V. Claire Allen*

CLERK

cc: Antonio D. Patterson, 342594  
James G. Bogle, Jr., Esquire  
Robert Michael Dudek, Esquire  
Deborah R.J. Shupe, Esquire  
Alan McCrory Wilson, Esquire



ALAN WILSON  
ATTORNEY GENERAL

July 6, 2020

The Honorable Jenny A. Kitchings  
Post Office Box 11549  
Columbia, South Carolina 29211-1549

Re: In the Matter of the Care and Treatment of Antonio D. Patterson  
Appellate Case No. 2020-000886

Dear Ms. Kitchings:

Enclosed is the State's Motion to Dismiss pursuant to Rule 240, SCACR in regard to the above matter. A copy of the motion will be served on counsel of record, James K. Falk, Esquire, by electronic mail and through the AIS One Drive. A copy of the motion will also be served on the Appellant, Antonio D. Patterson, by U.S. Mail at the address indicated below.

Sincerely,

Deborah R.J. Shupe  
Senior Assistant Deputy Attorney General

DRJS/te  
Enclosures

cc: James K. Falk, Esquire  
Victim Advocacy Division

Antonio D. Patterson  
SCDC# 00342514  
1516 Old Gilliard Road  
Ridgeland, South Carolina 29472



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

June 30, 2020

Ms. Deborah R.J. Shupe, Esquire  
PO Box 11549  
Columbia SC 29211-1549

Re: In the Matter of Antonio D. Patterson  
Appellate Case No. 2020-000886

Dear Counsel:

The Court is in receipt of your letter dated June 23, 2020. If you wish to request the dismissal of this appeal, a formal motion must be filed pursuant to Rule 240, SCACR.

Very truly yours,

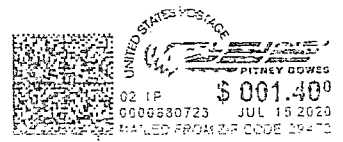
*V. Claire Allen*

CLERK

cc: Antonio D. Patterson, 342594  
James G. Bogle, Jr., Esquire  
James Kristian Falk, Esquire  
Robert Michael Dudek, Esquire  
Alan McCrory Wilson, Esquire

Arto

MacDougal Correctional Inst.  
1516 Old Gilliard Rd.  
Ridgeville S.C. 29472



**RECEIVED**

**Jul 29 2020**

**SC Court of Appeals**

**RECEIVED**

JUL 20 2020

S.C. SUPREME COURT

The Supreme Court of South Carolina  
Daniel E. Shearouse Clerk  
P.O. Box 11330  
Columbia S.C. 29211